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| 61. Copy of books, proceedings, etc., of comptroller.
62. Copy of entries of inspector of tobacco.
63. Copy of books and papers in custody of keeper of records of court of chancery.
64. Copy of record in custody of clerk of court; short copies. | 65. Copies of records from office of state tax commissioner.
66. Copy of judicial proceedings not required to be recorded.
67. Where transcript of record might be offered in evidence it shall be sufficient to produce original papers. |
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Competency of Witnesses.

1904, art. 35, sec. 1. 1888, art. 35, sec. 1. 1860, art. 37, sec. 1. 1864, ch. 109, sec. 1.

1. No person offered as a witness shall hereafter be excluded, by reason of incapacity from crime or interest, from giving evidence, either in person or by deposition, according to the practice of the courts, in the trial of any issue joined or hereafter to be joined, or of any matter or question, or on any inquiry arising in any suit, action or proceeding, civil or criminal, in any court, or before any judge, jury, justice of the peace or other person having, by law or by consent of parties, authority to hear, receive and examine evidence; but every person so offered may and shall be admitted to give evidence, notwithstanding that such person may or shall have an interest in the matter in question, or, in the event of the trial of any issue, matter, question or inquiry, or of the suit, action or proceeding in which he is offered as a witness, and notwithstanding that such person offered as a witness may have been previously convicted of any crime or offense; but no person who has been convicted of the crime of perjury shall be admitted to testify in any case or proceeding whatever; and the parties litigant and all persons in whose behalf any suit, action or other proceeding may be brought or defended, themselves, and their wives and husbands shall be competent and compellable to give evidence in the same manner as other witnesses, except as hereinafter excepted.

Parties; husbands and wives; interest.

The portion of this section making parties and their wives and husbands "competent and compellable to give evidence," applies to civil cases only; this is true notwithstanding the repeal by the act of 1876, ch. 357, of the third section of the act of 1864, ch. 109 (see section 4). Object of the evidence act. *Turpin v. State*, 55 Md. 475. And see *Davis v. State*, 38 Md. 65 (dissenting opinion); *Grand United Order, etc., v. Merklin*, 65 Md. 584; *Classen v. Classen*, 57 Md. 511.

The portion of this section making parties litigant competent witnesses, applied. *Flickinger v. Wagner*, 46 Md. 600. And see *Crane v. Barkdoll*, 59 Md. 537; *Le Brun v. Le Brun*, 55 Md. 503; *Barnum v. Barnum*, 42 Md. 323; *Semmes v. Worthington*, 38 Md. 324.

A party who takes an interest under a will is a legal and competent witness to prove it, and the devise or bequest to him is valid. *Leitch v. Leitch*, 114 Md. 336; *Hammett v. Shanks*, 41 Md. 219; *Harris v. Pue*, 39 Md. 549; *Estep v. Morris*, 38 Md. 426.

By the evidence act of 1864, the disqualification of witnesses arising from interest, was to a great extent, but not wholly, removed—see section 3. *Bowman v. Little*, 101 Md. 319 (supplemental opinion); *Wright v. Gilbert*, 51 Md. 155; *Semmes v. Worthington*, 38 Md. 324.